

App. No. 10/710,008

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : David Lawrence Von Kleeck  
Appl. No. : 10/710,008  
Filed : 06/11/2004  
Title : Second Opinion Selection System  
Grp./A.U. : 2129  
Examiner : Benjamin J. Buss

Honorable Commissioner of for Patents  
Washington, D.C. 20231

**Amendment 1**

Sir:

In response to the Notification of Non-Complainant Appeal Brief mailed February 18, 2009, please include the following modifications as requested.

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Please replace section (5) **Summary of Claimed Subject Matter with the following:**

Independent claim 42 proposes a system for hiring an employee comprising: inputting data (Application 14: 10-14 and Figure 3), having a Model identification step review said data and output results (Application 16:17-22 and Figure 3). Claim 42 proposes having a Model parameter estimation step review said output results (Application 16:17-25, 17:1-1 and Figure 3); and outputting final results (Application 17:18-20 and Figures 2 and 3). The claim 42 has a model identification step that comprises identifying by decision nodes and uses artificial neural networks to review said data (Application 16:17-25, 17:1-1 and Figure 3). In addition the model parameter estimation step uses machine learning to review said output results (Application 16:17-22 and Figure 4) and the results have two states. (Application 11: 14-18).

Independent claim 46 proposes a system for hiring an employee comprising: inputting data (Application 14: 10-14 and Figure 3), having a Model identification step review said data and output results (Application 16:17-22 and Figure 3). Claim 46 proposes having a Model parameter estimation step review the output results; and outputting final results (Application 17:18-20 and Figures 2 and 3). The model identification step comprises identifying by decision nodes and uses artificial neural networks to review said data (Application 16:17-25, 17:1-1 and Figure 3). In addition, the model parameter estimation step uses machine learning to review said output results (Application 16:17-22 and Figure 4) and where said results have three states which can be identified by color (Application 11: 10-22 and Figure 2).

Independent claim 50 proposes a system for hiring an employee comprising: inputting data (Application 14: 10-14 and Figure 3), having a Model identification step review said data and output results (Application 16:17-22 and Figure 3). Claim 50 proposes having a Model parameter estimation step to review said output the results (Application 17:18-20 and Figure 3); and outputting final results (Application 17:18-20 and Figures 2 and 3) where the model identification step comprises identifying

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by decision nodes and uses fuzzy inference systems to review said data (Application 17:2-7 and Figure 3), where said model parameter estimation step uses machine learning to review said output results (Application 16:17-25, 17:1-1 and Figure 4) and the results have two states. (Application 11: 14-18).

The current invention, which is a second opinion selection system (SOSS) is a system that would generate a second opinion of the candidates to classify them as red or green (Application: 11: 14-22 and Figure 2). It is based on a different and more advanced set of scoring algorithms (Application 17:2-20 and Figure 3). These algorithms incorporate a field of artificial intelligence known as machine learning to more closely tailor the scoring process (Application 17:2-20 and Figure 3). Thus the calibrated SOSS would be based on a company's "way of developing agents and doing business". It would incorporate "Company's Intelligence" into the automated portion of their prospective agent selection process (Application 13: 13-17). In the preferred embodiment, the SOSS 1 is done in three layers: 1. Preparation of data, 2. Inter Data Reduction Layer and 3. Fuzzy-inference layer. (Application 13: 18-20 and Figure 3)

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**(9) Claims Appendix**

42. A system for hiring an employee comprising: inputting data, having a Model identification step review said data and output results; having a Model parameter estimation step review said output results; and outputting final results where said model identification step comprises identifying by decision nodes and uses artificial neural networks to review said data, where said model parameter estimation step uses machine learning to review said output results and where said results have two states.

43. A system according to claim 42 where said states are hire and do not hire.

44. A system according to claim 42 where said data is biographical data.

45. A system according to claim 42 where said data is personality data.

46. A system for hiring an employee comprising: inputting data, having a Model identification step review said data and output results; having a Model parameter estimation step review said output results; and outputting final results where said model identification step comprises identifying by decision nodes and uses artificial neural networks to review said data, where said model parameter estimation step uses machine learning to review said output results and where said results have three states.

47. A system according to claim 46 where said states are no not move forward, move

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forward with caution and move forward.

48. A system according to claim 46 where said data is biographical data.

49. A system according to claim 46 where said data is personality data.

50. A system for hiring an employee comprising: inputting data, having a Model identification step review said data and output results; having a Model parameter estimation step review said output results; and outputting final results where said model identification step comprises identifying by decision nodes and uses fuzzy inference systems to review said data, where said model parameter estimation step uses machine learning to review said output results and where said results have two states.

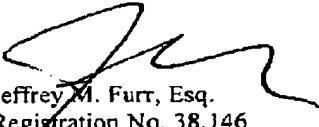
51. A system according to claim 50 where said states are hire and do not hire.

52. A system according to claim 50 where said data is biographical data.

53. A system according to claim 50 where said data is personality data.

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Respectfully submitted,



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I hereby certify I have transmitted this paper by fax to the Patent and Trademark Office at 571-273-8300 on April 20, 2009.

April 20, 2009.



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